

M. Martin, J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARVEL WORLDWIDE, INC.,
MARVEL CHARACTERS, INC. and
MVL RIGHTS, LLC,

Plaintiffs,

- against-

LISA R. KIRBY, BARBARA J. KIRBY,
NEAL L. KIRBY and SUSAN M. KIRBY,

Defendants.
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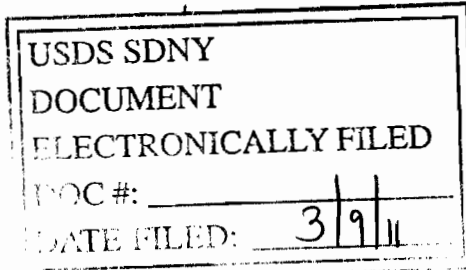
LISA R. KIRBY, BARBARA J. KIRBY,
NEAL L. KIRBY and SUSAN M. KIRBY,

Counterclaim-Plaintiffs,

- against-

MARVEL ENTERTAINMENT, INC.,
MARVEL WORLDWIDE, INC.,
MARVEL CHARACTERS, INC., MVL
RIGHTS, LLC, THE WALT DISNEY
COMPANY and DOES 1 through 10,

Counterclaim-Defendants.
-----X



Civil Action No. 10 Civ. 141 (CM) (KNF)

STIPULATION & ~~PROPOSED~~ ORDER

1. Whereas, on February 25, 2011, Plaintiffs Marvel Worldwide, Inc., Marvel Characters, Inc. and MVL Rights, LLC, and Counterclaim-Defendants Marvel Entertainment, LLC (sued herein as Marvel Entertainment, Inc.) and The Walt Disney Company (collectively "Marvel") and Defendants Lisa R. Kirby, Barbara J. Kirby, Neil L. Kirby and Susan M. Kirby

(collectively, the "Defendants") filed cross motions for summary judgment pursuant to the April 19, 2010 Civil Case Management Plan, as amended by the Court's February 7, 2011 Order;

2. Whereas pursuant to the April 19, 2010 Civil Case Management Plan, briefs in opposition to these respective motions for summary judgment are due on March 25, 2011 and briefs in reply are due April 8, 2011;

3. Whereas on February 25, 2011, Plaintiffs filed motions to exclude the testimony and expert reports of Defendants' expert witnesses Mark Evanier and John Morrow ("Motions to Exclude");

4. Whereas, the parties have agreed that Defendants shall have until March 25, 2011 to file briefs in opposition to Plaintiffs' Motions to Exclude, and that the Plaintiffs shall have until April 8, 2011 to file reply briefs;

NOW THEREFORE, the parties stipulate and jointly agree and request that the Court order the following:

1. Defendants' oppositions to Plaintiffs' Motions to Exclude must be filed and served on or before March 25, 2011; and

2. Plaintiffs' reply briefs in further support of their Motions to Exclude must be filed and served on or before April 8, 2011.

Dated: March 8, 2011

By: 

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*Attorneys for Plaintiffs and Counterclaim-
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Dated: March 8, 2011

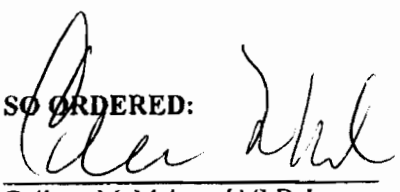

By: 

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Attorneys for Defendants

SO ORDERED:


Colleen McMahon, U.S.D.J. 

3-9-2011